

THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SEASON'S PIZZA RESTAURANT,)	
Plaintiff)	
)	
V.)	CIVIL ACTION FILE NO.
)	
MICHAEL CHERTOFF, as Secretary of the Department)	05-CV-10710-MEL
of Homeland Security; EDUARDO AGUIRRE, as)	
Director of the United States Citizenship and Immigration)	
Services; PAUL NOVAK, as Center Director of the U.S.)	
Citizenship and Immigration Services for Vermont Service)	
Center,)	
Defendants)	

ASSENTED TO STIPULATION OF DISMISSAL

NOW come the parties, by and through the undersigned counsel, and hereby request this Honorable Court dismiss the above-entitled action pursuant to Rule 41(a)(ii) of the Federal Rules of Civil Procedure.

/s/ Damian Wilmot

Damian Wilmot
Assistant U.S. Attorney
U.S. Attorney's Office
1 Courthouse Way, Suite 9200
Boston, MA 02210

/s/ Desmond P. Fitzgerald

Desmond P. Fitzgerald
Fitzgerald & Company, LLC
18 Tremont Street, Suite 210
Boston, MA 02108
T: 617.523.6320
F: 617.523.6324
dfitzgerald@fitzgeraldlawcompany.com
BBO: 68344

CERTIFICATE OF SERVICE

I hereby certify that the foregoing documents, Stipulation of Dismissal, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on June 14, 2006.

/s/Desmond P. FitzGerald
Desmond P. FitzGerald
FitzGerald & Company, LLC
18 Tremont Street, Suite 210
Boston, Massachusetts 02108
Telephone (617) 523-6320
Facsimile (617) 523-6324
dfitzgerald@fitzgeraldlawcompany.com
Bar No. 68344